

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: DAILY FANTASY SPORTS LITIGATION) MDL No. 16-02677-GAO
)
This Document Relates To:)
)
All Cases)
)
)

MDL PROCEDURAL ORDER No. 2 REGARDING PLAINTIFFS'
LEADERSHIP STRUCTURE AND SUBMISSIONS

March 11, 2016

O'TOOLE, D.J.

The Court hereby orders that the following protocol will be implemented in connection with the Court's appointment of leadership counsel for the Plaintiffs in this matter.

1. The Court will adopt a leadership structure that consists of three co-lead counsel. There will be an Executive Committee consisting of nine (9) members. The appointees shall have a knowledge base that includes broad representation of all subject matter and procedural aspects of the claims. There shall also be one liaison counsel.
2. Subject to further refinement by the Court, the general duties of the positions is as follows:
 - a. The Executive Committee shall be responsible for the coordination and development of all pretrial matters, including strategy, discovery, and motion practice.
 - b. The co-lead counsel shall be responsible for, after consultation with the full Executive Committee, the presentation of the position of the plaintiffs on

any matter arising during pretrial proceedings. The co-lead counsel will generally be divided among the main liability theories of the cases.

- c. The liaison counsel shall be responsible for communication with the Court, Court staff, and other parties concerning scheduling, filing, case developments, and other non-substantive matters.
3. Insofar as Plaintiffs' counsel have been unable to agree on appointees, the Court will select the members of the Plaintiffs' leadership structure.
4. Candidates may submit applications for position(s) either individually or as members of a slate that includes proposed appointees for all thirteen (13) positions. Candidates are encouraged to submit as members of a slate.
5. Each submission by an individual for a single position shall be no more than three (3) pages plus curriculum vitae for each person and his or her law firm not to exceed five (5) pages. Each submission for a slate shall be no more than fifteen (15) pages plus curriculum vitae for each person and his or her law firm not to exceed five (5) pages. Each submission shall address the criteria set forth in Fed. R. Civ. P. 23(g).
6. All submissions shall be filed with the Court no later than March 18, 2016 through the ECF system.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge